

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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NATIONAL RAILROAD PASSENGER
CORP.,

Plaintiff,

Civil Action No.:
07 CIV 6288

-against-

T.C. JOHNSON COMPANY,
TRANSPORTATION RESOURCES
INC., MITCHELL EQUIPMENT
CORPORATION, TEREX
CORPORATION, KOEHRING
CRANES, INC. d/b/a TEREX
CRANES WAVERLY, and TEREX
CRANES, INC.,

**DEFENDANT
TRANSPORTATION
RESOURCES, INC.'S ANSWER
TO CROSS-CLAIM OF
DEFENDANTS
TEREX CORPORATION,
KOEHRING CRANES, INC.
D/B/A TEREX CRANES
WAVERLY
AND TEREX CRANES, INC.**

Defendants.
-----X

Defendant TRANSPORTATION RESOURCES, INC. ("TRI"), by its attorneys,
SEDGWICK, DETERT, MORAN & ARNOLD, LLP, as and for its Answer to the Cross-
Claim, alleges upon information and belief as follows:

**ANSWERING EACH AND EVERY CAUSE
OF ACTION OF THE CROSS-CLAIM**

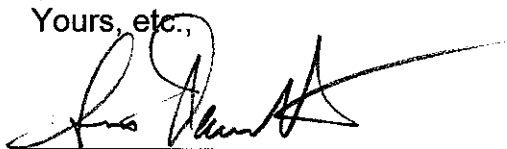
1. Denies each and every allegation contained in TEREX's cross-claim as to
TRANSPORTATION RESOURCES, INC.

WHEREFORE, the defendant, TRANSPORTATION RESOURCES, INC. hereby
demands judgment dismissing cross-claim of TEREX CORPORATION, KOEHRING
CRANES, INC. D/B/A TEREX CRANES WAVERLY AND TEREX CRANES, INC., together

with costs and disbursements of this action.

Dated: New York, New York
August 30, 2007

Yours, etc.,



SCOTT L. HAWORTH (SH 5890)
SEDGWICK, DETERT, MORAN & ARNOLD LLP
Attorneys for Defendant
TRANSPORTATION RESOURCES, INC.
Offices and Post Office Address
125 Broad Street
New York, New York 10004
(212) 422-0202
Facsimile: (212) 422-0925

TO:

Ronald E. Joseph, Esq.
Landman, Corsi, Ballaine & Ford P.C.
Attorneys for Plaintiff
National Railroad Passenger Corp.
120 Broadway, 27th Floor
New York, New York 10271-0079
(212) 238-4800

Eugene T. Boulé, Esq.
Wilson, Elser, Moskowitz, Edelman & Dicker
Attorneys for Defendant
Mitchell Equipment Corporation
150 East 42nd Street
New York, New York 10017
(212) 490-3000

Dominic Paul Bianco
Gallagher Walker Bianco & Plastaras
Attorneys for Defendants
Terex Corporation, Koehring Cranes, Inc.
d/b/a Terex Cranes Waverly and Terex Cranes, Inc.
98 Willis Avenue
Mineola, New York 11501
(516) 248-2002


CERTIFICATE OF SERVICE

I, Scott Haworth, hereby certify and affirm that a true and correct copy of the attached **DEFENDANT TRANSPORTATION RESOURCES INC.'S ANSWER TO CROSS-CLAIM OF DEFENDANTS TEREX CORPORATION, KOEHRING CRANES, INC. D/B/A TEREX CRANES WAVERLY AND TEREX CRANES, INC.** was served via regular mail on this 30th day of August, 2007, upon the following:

Ronald E. Joseph, Esq.
Landman, Corsi, Ballaine & Ford P.C.
Attorneys for Plaintiff
National Railroad Passenger Corp.
120 Broadway, 27th Floor
New York, New York 10271-0079
(212) 238-4800

Eugene T. Boulé, Esq.
Wilson, Elser, Moskowitz, Edelman & Dicker
Attorneys for Defendant
Mitchell Equipment Corporation
150 East 42nd Street
New York, New York 10017
(212) 490-3000

Dominic Paul Bianco
Gallagher Walker Bianco & Plataras
Attorneys for Defendants Terex
Corporation, Koehring Cranes, Inc.
d/b/a Terex Cranes Waverly and Terex
Cranes, Inc.
98 Willis Avenue
Mineola, New York 11501
(516) 248-2002


SCOTT L. HAWORTH (SLH-5890)

Dated: New York, New York
August 30, 2007

NOTICE OF ENTRY

Sir:- Please take notice that the within is a (*certified*) true copy of a duly entered in the office of the clerk of the within named court on

Dated,

Yours, etc.,

SEDGWICK, DETERT, MORAN & ARNOLD LLP
Attorney(s) for Defendant

Offices and Post Office Address
125 BROAD STREET
NEW YORK, N.Y. 10004

To

Attorneys for

NOTICE OF SETTLEMENT

Sir:- Please take notice that an order

of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at

on

at

Dated,

Yours, etc.,

SEDGWICK, DETERT, MORAN & ARNOLD LLP
Attorney(s) for Defendant

Offices and Post Office Address
125 BROAD STREET
NEW YORK, N.Y. 10004

To

Attorney(s) for

NY/506706v1

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FOR THE SOUTHERN DISTRICT OF NEW YORK
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- against -

T.C. JOHNSON COMPANY; TRANSPORTATION RESOURCES
INC.; MITCHELL EQUIPMENT CORP.; TEREX CORP.; KOEHRING
CRANES, INC. d/b/a TEREX CRANES WAVERLY, and TEREX
CRANES, INC.,

Defendants

DEFENDANT TRANSPORTATION RESOURCES INC.'S
ANSWER TO CROSS-CLAIM OF DEFENDANTS TEREX
CORPORATION, KOEHRING CRANES, INC. d/b/a TEREX
WAVERLY and TEREX CRANES, INC.

SEDGWICK, DETERT, MORAN & ARNOLD LLP
Attorney(s) for Defendant TRANSPORTATION RESOURCES INC.

Offices and Post Office Address
125 BROAD STREET
NEW YORK, N.Y. 10004
Tel. (212) 422-0202

To

Attorney(s) for Plaintiff

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for